

**MINUTES OF A MEETING OF  
THE LEMON GROVE CITY COUNCIL**

**May 17, 2016**

*The City Council also sits as the Lemon Grove Housing Authority, Lemon Grove Sanitation District Board, Lemon Grove Roadway Lighting District Board, and Lemon Grove Successor Agency*

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**Call to Order**

Members present: Mayor Mary Sessom, Councilmember Jerry Jones, Councilmember Jennifer Mendoza, and Councilmember Racquel Vasquez.

Members absent: Mayor Pro Tem George Gastil.

City Staff present: Lydia Romero, City Manager, David DeVries, Development Services Director; Miranda Evans, Assistant Planner; Michael H. Wapner, Deputy City Attorney; Mike James, Public Works Director; Sheriff's Department; Rick Sitta, Fire Chief; and Laureen Ryan Ojeda, Administrative Analyst.

**Presentations**

Mayor Sessom presented the National Public Works Week proclamation.

**Public Comment**

John L. Wood commented on a truck that is continuously parked on Massachusetts Avenue, traffic lights that need to be fixed, and bus shelters that are in need of repair, and he noted that the Toyota dealership is closed on Sunday.

Monica Emanuel, San Diego County Fair, provided an overview of the 2016 County Fair.

**1. Consent Calendar**

**A. Approval of City Council Minutes**

May 3, 2016 Regular Meeting

**B. Ratification of Payment Demands**

**C. Waive Full Text Reading of All Ordinances and Resolutions on the Agenda**

**D. USAI Grant Acceptance**

**E. Authorization of Application Submittal for the CalRecycle Beverage Container Recycling City/County Payment Program**

**F. Community Development Block Grant (CDBG) 2016 Street Rehabilitation and ADA Pedestrian Curb Ramps Project**

**G. Levy and Collection of Assessments within the Lemon Grove Wildflower Landscape Maintenance Assessment District 97-1 for Fiscal Year 2016-2017**

**Action: Motion by Councilmember Jones, seconded by Councilmember Mendoza, to approve the Consent Calendar passed, by the following vote:**

**Ayes: Sessom, Jones, Mendoza, Vasquez**

**Absent: Gastil**

**Resolution No. 2016-3412:** Resolution of the City Council of the City of Lemon Grove, California Accepting Fiscal Year 2015 Urban Area Security Initiative Training Attendance and Participation Grant Funds

**Resolution No. 2016-3413:** Resolution of the Lemon Grove City Council Approving the Authorization of Application Submittal for the Calrecycle Beverage Container Recycling City/County Payment Program

**Resolution No. 2016-3414:** Resolution of the City Council of the City of Lemon Grove, California, Awarding a Contract for the Community Development Block Grant (CDGB) 2016 Street Rehabilitation and ADA Pedestrian Curb Ramps Project

**Resolution No. 2016-3415:** Resolution of the City Council of the City of Lemon Grove, California Approving the Levy and Collection of Assessments with the Lemon Grove Wildflower Landscape Maintenance Assessment District 97-1 for Fiscal Year 2016-2017

## **2. Bee Keeping Ordinance**

Miranda Evans stated that at the April 5, 2016 City Council Meeting, the City Council directed staff to amend the draft beekeeping ordinance to simplify regulations and encourage beekeeping. This staff report provides an overview of the proposed amendments which include provisions relating to locational requirements (setbacks), permit fees, bee species, registration, firefighting material, and public nuisance requirements.

Staff recommends that the City Council adopt an ordinance amending the current beekeeping regulations as follows:

- Include a fee of \$75 for a beekeeping permit. This fee would be added to the Master Fee Schedule for Fiscal Year 2016-2017;

- Amend locational requirements for beehives to encourage beekeeping within the City;

- Add requirements for sensitive sites (e.g., schools, playgrounds, picnic areas, senior centers, etc.);

- Add a requirement for the maximum beehive size; based upon conservative industry standards, an apiary shall be no larger than three square feet in area and four and one-half feet in height;

- Add a requirement for firefighting materials near a hive;

- Add that the types of bee species allowed are required to be docile and nonaggressive;

- Require registration of the apiaries with the County of San Diego Department of Agriculture, Weights, and Measures (currently free for less than 10 apiaries on a site).

- Add the public nuisance provisions of Section 6.04.430 to the general provisions of the City's animal keeping regulations (Section 18.16.020) allowing the City to abate any type of animal keeping if it becomes a public nuisance.

- Correct subsection A under exotic animals to reference Section 6.04.420 instead of 6.04.430. This is incorrectly cited.

Upon adoption of the proposed changes, staff recommends implementing a six-month amnesty period for all current beekeepers with existing hives. During the proposed six-month amnesty period, the beekeeper would be able to apply for the permit at no cost. Thereafter, staff recommends that existing hives, including those located near a sensitive site, can be deemed a legal non-conforming use with opportunities to apply for a beekeeping permit.

Other requirements were considered as a part of the proposed amendments.

Public Speaker(s):

Carlos Richardson  
Mark Kukuch  
Rebecca Wolniewicz  
Daryl Hern  
Neyl Montesano

After discussion, the public hearing was continued to June 21, 2016.

**3. Extension of the Joint Use Agreement between the City of Lemon Grove and the Lemon Grove School District**

Lydia Romero reported that on November 3, 2015, the City Council approved a Joint Use Agreement with the Lemon Grove School District for the newly constructed outdoor recreation facilities at Lemon Grove Academy Middle School, including the softball field, blacktop courts, open fields, and running/walking track. The Agreement allows for priority scheduling of the facilities first by the School District, then by the City for programmed recreation uses. When not otherwise in use by these agencies, the field will be open for public use on Saturdays. The initial agreement was for a six-month trial period, ending May 12, 2016. The City and School District agree that this has been a successful partnership for both entities and are actively looking for ways to open the fields for Sunday use.

As stipulated in the original agreement, if both entities wish, the agreement can be extended for a five-year period by a written addendum.

Public Speaker(s)

There were no requests from the public to speak.

**Action: Motion by Councilmember Jones, seconded by Councilmember Vasquez, to adopt the resolution passed, by the following vote:**

**Ayes: Sessom, Jones, Mendoza, Vasquez**  
**Absent: Gastil**

**Resolution No. 2016-3416:** Resolution of the City Council of the City of Lemon Grove, California Approving a Five-Year Extension of the Joint Use Agreement between the City of Lemon Grove and the Lemon Grove School District for Use of the Recreation Facilities on The Lemon Grove Middle School Campus

**4. Amendment to Option Agreement between City of Lemon Grove and the San Diego Community Land Trust for 8084 Lemon Grove Way**

David DeVries stated that in September 2014, the City and San Diego Community Land Trust (SDCLT) entered into a Purchase Option Agreement for the eventual sale of 8084 Lemon Grove Way, Lemon Grove Housing Authority owned land. The Purchase Option Agreement required SDCLT to complete certain milestones by specified dates. The fourth milestone—securing building and site improvement permits and securing, as to form, the 99-year ground lease proposed to be used as the conveyance of Affordable Unit interests—was to be completed by May 19, 2016.

These milestones ensure that SDCLT has progressed towards the purchase of 8084 Lemon Grove Way. The applicant is working with city staff towards completing this milestone, however, will be unable to meet the specified deadline.

Jean Diaz, San Diego Community Land Trust, was available to answer questions.

Public Speaker(s)

There were no requests from the public to speak.

**Action: Motion by Councilmember Jones, seconded by Councilmember Mendoza, to close the public hearing, direct the City Manager to draft a letter for the Helix Water District Board President, and adopt the resolution passed, by the following vote:**

**Ayes: Sessom, Jones, Mendoza, Vasquez**

**Absent: Gastil**

**Resolution No. 2016-3417:** Resolution of the City Council of the City of Lemon Grove, California Approving an Amendment to an Option Agreement with the San Diego Community Land Trust for the Parcel Identified as 8084 Lemon Grove Way (APN 475-450-19-00)

**5. Transnet Local Street Improvement Program of Projects for FY 2017-2021**

Mike James reported that the City is anticipating it will receive \$3.8 million in TransNet funds during the next five years. During the next five year period, staff recommends programming \$5 million amongst the seven projects related to streets, storm drains and traffic projects. The difference between the anticipated allocation and programmed amount is made up of \$1 million in TransNet LSI (carry over) and \$186,000 in Regional Transportation Congestion Improvement Program funds. Two projects are grant funded projects that are managed by SANDAG. The last project is a grant project that has been completed yet is still shown on this report. All projects allocated by and managed by SANDAG are automatically reflected in the ProjectTrak report.

A brief summary of the project numbers and descriptions are listed below.

CAL 266 – Lemon Grove – Schools (Completed): Grant funds to support outreach, interaction, workshops, and trainings that support walking and bicycling to school throughout the City.

LG 13 - Lemon Grove Avenue Realignment Project: A key project in the redevelopment of the city's downtown village specific plan, this project will realign the Lemon Gove Avenue at SR-94 adding traffic lanes and improving access to and from SR-94, reducing motorist delays and vehicle emissions.

LG 14 – Traffic Improvements (Preventative Maintenance): Support various traffic related projects scheduled throughout the year that may include traffic loop replacements, traffic signal upgrades, speed survey, streets striping improvements, traffic calming studies, and the repair or replacement of street signs.

LG 15 – Storm Drain Rehabilitation (Preventative Maintenance): Repairs to multiple storm drain facilitates such as sport repairs to existing pipes, berms or other division devices.

LG 16 – Storm Drain Rehabilitation (Congestion Relief): Evaluate, prioritize, and implement improvement to the City's storm drain system by identifying deteriorated or problematic portion of the storm drain system, perform risk assessments to prioritize need and perform the necessary construction repairs or replacements to avoid roadway flooding.

LG 17 – Street Improvements (Preventative Maintenance): Maintain city streets and funds costs to survey all streets as part of the pavement management system.

LG 18 – Traffic Improvements (Congestion Relief): Provide multiple types of projects that may include median installation for safety improvement or left turn movement, new traffic signals, passive permissive left turn installation, signal removal for congestion relief reasons, traffic signal upgrades, intersection lighting, traffic signal coordination, and traffic signal interconnection/optimization.

LG 20 – Street Improvements (Congestion Relief): Identifies streets throughout the City to repair, remove and replace sidewalks/curb ramps, provides matching funds for grant programs, and funds the pavement management program update/study.

LG 21 – Main Street Promenade Extension Planning Project: Use existing public rights-of-way to support and enhance the north/south movement of pedestrians and bicyclists through shared circulation of bicycles, pedestrians, and vehicles and encourage interaction, improve health and create pedestrian and bicycle amenities.

LG 22 – Lemon Grove Avenue Realignment Project: Realigns and reconstructs segments of Lemon Grove and North Avenues, trolley/railroad crossing, and the Lemon Grove Avenue State Route 94 entrance/exit.

LG 23 – Broadway Downtown Village Specific Plan (DSVP) Expansion: The expansion would consider promoting mixed-use with increased residential densities and commercial intensities within the proposed boundaries consistent within the adopted Downtown Village Specific Plan.

In FY 2015-16, the City Council directed staff to focus on completing the Lemon Grove Avenue Realignment project as well as citywide street improvements. Staff created a funding plan that will support the realignment project and the street rehabilitation program in keeping with the current pavement management program.

San Diego Community Land Trust

Public Speaker(s)

There were no requests from the public to speak.

**Action: Motion by Councilmember Jones, seconded by Councilmember Mendoza, to close the public hearing and adopt the resolution passed, by the following vote:**

**Ayes: Sessom, Jones, Mendoza, Vasquez**  
**Absent: Gastil**

**Resolution No. 2016-3418:** Resolution of the City Council of the City of Lemon Grove, California Adopting the Transnet Local Street Improvement Program of Projects for Fiscal Years 2017 through 2021

**6. Ordinance No. 27 – Maintaining the Current Wastewater Rates for Fiscal Year 016-2017**

On May 3, 2016, the Board introduced and conducted the first reading of Ordinance No. 27. Relying on a technical memorandum prepared by NBS Government Finance Group, staff recommended to the Board to maintain the existing FY 2015-16 wastewater rates for FY 2016-17.

Public Speaker(s)

There were no requests from the public to speak.

**Action: Motion by Board Member Jones, seconded by Board Member Vasquez, to conduct the second reading, by title only, and adopt Ordinance No. 27 passed, by the following vote:**

**Ayes:** Sessom, Jones, Mendoza, Vasquez  
**Absent:** Gastil

**City Council Oral Comments and Reports on Meetings Attended at the Expense of the City. (GC 53232.3 (d))**

Councilmember Jones reported on recent Metro Wastewater and IROC meetings.

Councilmember Mendoza attended SANDAG's Planning Committee and HealZone Committee meetings, Relay for Life event, along with HealZone leadership training in Pasadena.

Councilmember Vasquez attended an East County Mayoral luncheon, a human trafficking prevention event, paint out at the Main Street Promenade, and the HealZone leadership training in Pasadena.

Mayor Sessom reported on recent SANDAG, SCAG, Airport Authority meetings and she participated in the Relay for Life event.

**City Manager and Department Director Reports**

Mike James thanked the City Council for recognizing the Public Works Department.

**Adjournment**

There being no further business to come before the City Council, Housing Authority, Sanitation District Board, Lemon Grove Roadway Lighting District Board, and the Lemon Grove Successor Agency the meeting was adjourned at 7:35 p.m.

*Susan Garcia*

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Susan Garcia, City Clerk